

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Case No.: 3:13-cv-00010-MOC-DSC**

JOE HAND PROMOTIONS, INC.,

Plaintiff,

vs.

EDGAR D. ELLIS, JR., et al.,

Defendants.

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**DEFAULT
JUDGMENT**

THIS MATTER is before the court on consideration of Plaintiff's Motion for Default Judgment ("Motion"), the accompanying Memorandum in Support thereof and evidence, the pleadings on file and the relevant authorities, the Court concludes that Plaintiff has established that it is an aggrieved party under the Federal Communications Act, 47 U.S.C. §§ 553 and 605 and recognizes Plaintiff's election to seek statutory damages. The Court also concludes that it has jurisdiction over the subject matter and parties to this action; that Defendants, Edgar D. Ellis, Jr., individually and as an officer, director, shareholder and/or principal of Carolina Performance Jet Ski, Inc. d/b/a Easy Eddies Motorcycle Service & Lounge, (hereinafter "Defendants") failed to answer or otherwise defend as provided by the Federal Rules of Civil Procedure following proper service; that the allegations in Plaintiff's Complaint are deemed admitted against Defendants; that Defendants exhibited the closed circuit, "*UFC 121: Lesnar v. Velasquez*" Broadcast, including all undercard bouts and the entire television broadcast, scheduled for October 23, 2010, (hereinafter "Broadcast") without authorization from Plaintiff; and that Defendants' actions were willful and for purposes of direct or indirect commercial advantage or private financial gain. Therefore, additional damages are warranted in this action.

JUDGMENT

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED: that Judgment by default is entered in favor of Plaintiff and against

Defendant Edgar D. Ellis, Jr., individually and as an officer, director, shareholder and/or principal of Carolina Performance Jet Ski, Inc. d/b/a Easy Eddies Motorcycle Service & Lounge, and

Defendant Carolina Performance Jet Ski, Inc. d/b/a Easy Eddies Motorcycle Service & Lounge,

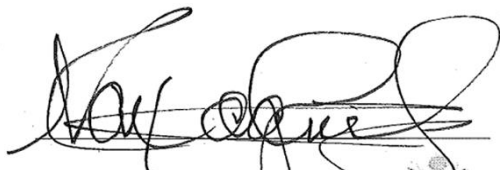
both jointly and severally, providing that plaintiff **Joe Hand Promotions, Inc.**, have and take of such defendants:

- (1) statutory damages pursuant to 47 U.S.C. § 605(e)(3)(C)(i)(II) in the amount of **\$10,000.00;**
- (2) additional damages pursuant to 47 U.S.C. § 605(e)(3)(C)(ii) in the amount of **\$50,000.00;** and
- (3) attorneys' fees in the amount of **\$1,500.00** and costs in the amount of **\$540.00** relating to the prosecution of this matter

for a total monetary award of **\$62,040.00.**

This action is terminated.

Signed: April 3, 2013


Max O. Cogburn Jr.
United States District Judge